

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

FILE COPY

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

WAYNE H. RUHLAND, P.T.
RESPONDENT.

FINAL DECISION
AND ORDER

The parties to this section for the purposes of Section 227.53, Wis. Stats., are:

Wayne H. Ruhland, P.T.
623 Brooks Place
Wausau, WI 54401

Wisconsin Medical Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

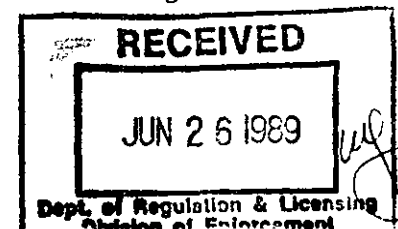
Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Wayne H. Ruhland, date of birth January 16, 1955, is a physical therapist licensed and registered to practice physical therapy in the State of Wisconsin pursuant to license #2332, which was granted on January 12, 1981.

2. During the period from January 1, 1986, until April 22, 1988, Mr. Ruhland was not registered as a physical therapist with the Medical Examining Board, yet Mr. Ruhland exercised the rights and privileges of his physical therapist's license by working as a physical therapist for Thera Care, Abbotsford, Wisconsin. Section 448.07(1)(a), Wis. Stats., provides, in part, as follows: "No person may exercise the rights or privileges conferred by any license or certificate granted by the board unless currently registered as required under this subsection."

3. Mr. Ruhland violated Section 448.07(1)(a), Wis. Stats., by exercising the rights and privileges conferred by his physical therapist's license without being currently registered with the Medical Examining Board.



4. Mr. Ruhland has voluntarily agreed to accept a reprimand from the Medical Examining Board for his conduct under paragraph 3.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction over this matter pursuant to Section 448.02(3), Wis. Stats.

2. The Wisconsin Medical Examining Board is authorized to enter into the attached Stipulation pursuant to Section 227.44(5).

3. Mr. Ruhland's violation of Section 448.07(1)(a), Wis. Stats., as set forth in paragraph 3 of the Findings of Fact, constitutes unprofessional conduct within the meaning of Section 448.02(3), Wis. Stats. and Chapter MED 10.02(2)(a), Wis. Adm. Code.

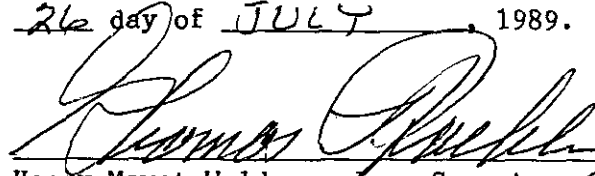
ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that pending investigation #88 MED 228 is hereby administratively closed.

IT IS FURTHER ORDERED, that Mr. Ruhland is hereby REPRIMANDED for practicing physical therapy without being currently registered.

Dated at Madison, Wisconsin this 26 day of JULY, 1989.


Henry Mowat Waldron, Jr., Secretary *Chairman*
Wisconsin Medical Examining Board

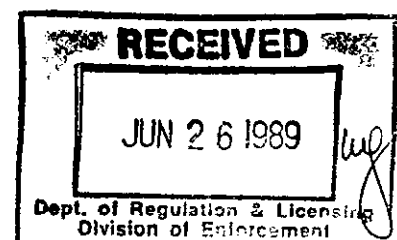
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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE LICENSE TO	:	
PRACTICE PHYSICAL THERAPY OF	:	
	:	STIPULATION
WAYNE H. RUHLAND, P.T.	:	

It is hereby stipulated between Wayne H. Ruhland and Jonathan Becker, attorney for the Wisconsin Department of Regulation and Licensing, Division of Enforcement, as follows:

1. Wayne H. Ruhland, date of birth January 16, 1955, is a physical therapist licensed and registered to practice physical therapy in the State of Wisconsin pursuant to license #2332, which was granted on January 12, 1981.
2. An investigation of Mr. Ruhland is pending before the Wisconsin Medical Examining Board, investigative file #88 MED 228.
3. Mr. Ruhland is aware of and understands each of his rights, including the right to have a disciplinary complaint issued against him; the right to a hearing on the allegations against him, at which time the State has the burden of proving the allegations by clear, satisfactory and convincing evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify in his own behalf; the right to file objections to any proposed decisions and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for a rehearing; the right to appeal a final decision to the Wisconsin court system; and all other rights afforded him under the United States Constitution, the Wisconsin Constitution and the Wisconsin Statutes and the Wisconsin Administrative Code.
4. Mr. Ruhland freely, voluntarily, and knowingly waives each and every one of the rights set forth in Paragraph 3 above.
5. Mr. Ruhland failed to register with the Medical Examining Board on or before November 1, 1985, as required by Section 448.07(1)(a), Wis. Stats., causing his registration to expire on December 31, 1985. Mr. Ruhland did not apply for reregistration of his license until April 22, 1988.
6. Despite the fact that Mr. Ruhland's registration expired on December 31, 1985, Mr. Ruhland worked as a physical therapist for Thera Care, Abbotsford, Wisconsin, during the period from August 1984 until the present.
7. Mr. Ruhland hereby voluntarily agrees that the Medical Examining Board may reprimand him for his failure to register with the Medical Examining Board, as outlined in paragraph 5.



8. For the purposes of this Stipulation, Mr. Ruhland agrees that the Wisconsin Medical Examining Board may make and enter the attached Final Decision and Order without prior notice to any party.

9. In consideration of the agreements contained in this Stipulation, and upon the making and entering of the attached Final Decision and Order, investigative file #88 MED 228 shall be administratively closed by the Wisconsin Medical Examining Board and no formal complaint shall issue from this investigation.

10. Mr. Ruhland, the attorney for the Department of Regulation and Licensing, Division of Enforcement, and the member of the Board designated as the advisor in this matter, may appear before the Wisconsin Medical Examining Board to argue in favor of acceptance of this Stipulation and the issuance of the attached Final Decision and Order.

11. If any term or condition of this Stipulation and proposed Final Decision and Order is not approved by the Wisconsin Medical Examining Board, then no term of this Stipulation and attached proposed Final Decision and Order shall be binding in any manner on any party.

Dated this 22nd day of June, 1989.

Wayne Ruhland PT
Wayne H. Ruhland, P.T.

Dated this 27th day of June, 1989.

Jonathan Becker
Jonathan Becker, Attorney
Department of Regulation & Licensing
Division of Enforcement

JB:mkm
DOEATTY-790

NOTICE OF APPEAL INFORMATION

(Notice of Rights for Rehearing or Judicial Review,
the times allowed for each and the identification
of the party to be named as respondent)

The following notice is served on you as part of the final decision:

1. Rehearing.

Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with State of Wisconsin Medical Examining Board.

A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.

2. Judicial Review.

Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon State of Wisconsin Medical Examining Board.

within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: State of Wisconsin Medical Examining Board.

The date of mailing of this decision is August 1, 1989.

WLD:dms
886-490